

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JOHN PRIESTLY, JR.,)	
)	
Plaintiff,)	
)	
vs.)	NO. CIV-24-1032-HE
)	
DEPARTMENT OF THE)	
TREASURY, et al.,)	
)	
Defendants.)	

ORDER

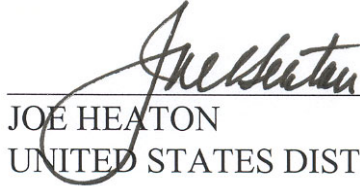
Plaintiff John Priestly, Jr. brought this action regarding “bank fraud & federal taxes,” apparently related to a separate matter concerning plaintiff’s violation of a restraining order. Pursuant to 28 U.S.C. § 636(b)(1)(B),(C), the matter was referred to Magistrate Judge Suzanne Mitchell for initial proceedings. On October 30, 2024, Judge Mitchell issued a Report and Recommendation recommending the denial of plaintiff’s application to proceed in forma pauperis and the dismissal without prejudice of this action unless plaintiff pays the full \$405 filing fee within twenty-one days from the date of any order adopting the Report and Recommendation. Plaintiff was advised of his right to object to the Report and Recommendation by November 14, 2024. No objection has been filed. Plaintiff has therefore waived his right to appellate review of the factual and legal issues addressed in the report. Cassanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #5], **DENIES** plaintiff’s application for leave to proceed in forma pauperis [Doc. #2], and **ORDERS** plaintiff to pay the full \$405 filing fee within twenty-one (21) days of the date

of this Order. Plaintiff is advised that if he does not pay the full \$405 filing fee within **twenty-one (21) days** of the date of this Order, this action will be dismissed without prejudice.

IT IS SO ORDERED.

Dated this 26th day of November, 2024.



JOE HEATON
UNITED STATES DISTRICT JUDGE